

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**TYSON SHELL and MELINDA SU SHELL,
Personal Representatives of the Estate of
Hayden Shell, Deceased ,**

Plaintiffs,

vs.

**DEBRA L. SUDAN., M.D., AMY
DUHACHEK-STAPELMAN, M.D., SASHA
SHILLCUTT, M.D., NEBRASKA MEDICAL
CENTER, and DOES 1 - 5,**

Defendants.

8:08CV260

ORDER

This matter is before the court on the motion of the Nebraska Medical Center for leave to file its answer out of time. The court finds that the movant failed to act because of excusable neglect. Pursuant to Fed. R. Civ. P. 6(b)(1)(B),

IT IS ORDERED that the motion (Doc. 17) is granted, and the Nebraska Medical Center shall file and serve its Answer to the Amended Complaint as soon as is practicable.

DATED September 11, 2008.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**